

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
NEWARK DIVISION**

**IN RE: PROTON-PUMP INHIBITOR  
PRODUCTS LIABILITY LITIGATION  
(NO. II)**

This Document Relates to: ALL ACTIONS

**2:17-md-2789 (CCC)(MF)  
(MDL 2789)**

**JANUARY 12, 2018  
STATUS CONFERENCE  
JOINT STATUS REPORT AND  
PROPOSED AGENDA**

Pursuant to Case Management Order No. 6 (Dkt. No. 103), the parties hereby submit their Joint Status Report and Proposed Agenda in advance of the January 12, 2018 MDL Status Conference.

**I. STATUS REPORT**

Since the last status conference, the parties have submitted the parties' proposed Case Management Order No. 6 (Order on December 18, 2017 Status Conference). Pursuant to CMO No. 6, the parties have continued to confer on a Direct Filing Order, Plaintiff Fact Sheet, and Plaintiff Fact Sheet Enabling Order. As indicated in our letter of January 9, 2018, the parties anticipate presenting agreed-to Orders for entry by the Court at the next status conference.

Additionally, the parties have continued to confer on other issues, including 30(b)(6) depositions, discovery requests, and Science Day. The specific issues the parties would like to raise with the Court are listed in the proposed Agenda.

At the time of this filing, approximately 469 potentially related actions with 503 plaintiffs are pending in federal court. The parties attach a list of these cases as **Exhibit A**. Currently, approximately 227 potentially related state court actions with 127 plaintiffs are pending in the

Delaware Superior Court, New Castle County, before Judge John A. Parkins, and one related state court action with 3 plaintiffs is pending in the Missouri Circuit Court, Twenty-Second Judicial Circuit (City of St. Louis) before Judge Michael K. Mullen. There is a single plaintiff appellate case pending before the Ninth Circuit Court of Appeals. (*Bekins v. AstraZeneca Pharmaceuticals LP, et al.*, No.16-02732 (S.D. Cal. Mar. 7, 2017), *appeal docketed*, No. 17-55461 (9th Cir. Apr. 5, 2017)).

## **II. PROPOSED AGENDA FOR 01/12/18 STATUS CONFERENCE**

The Parties have met and conferred and propose the following Agenda:

- Entry of the Direct Filing Order;
- Entry of the Plaintiff Fact Sheet Implementing Order and PFS;
- Resolution of Discovery Disputes Between the PSC and AstraZeneca Defendants Described in the Parties' Submissions Dated January 9, 2018;
- Scheduling Science Day and discussing parameters of Science Day;
- Setting deadlines for submission of Defendant Fact Sheet;
- Setting deadlines for submission of Scheduling Order; and
- Status of scheduling for 30(b)(6) depositions.

## **III. TELEPHONIC MONITORING OF THE CASE MANAGEMENT CONFERENCE**

As instructed by the Court, counsel has arranged for a telephonic conference line so interested attorneys can monitor the proceedings. Dial-in information is as follows:

Dial In: 800-747-5150  
Access Code: 4740213  
Chairperson Code: 4281 (To be utilized by the Court only)

Note that the status conference is scheduled to begin at 1 p.m. eastern.

Dated: January 10, 2018